

Form PTO-1390  
P20637.P10U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

P20637

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (If known, see 37 CFR 1.5)  
09/744,989

INTERNATIONAL APPLICATION NO.

PCT/JP99/04479

INTERNATIONAL FILING DATE

20 August 1999

PRIORITY DATE CLAIMED

20 August 1998

TITLE OF INVENTION

EPI MORPHIN OF THE ORDER ARTIODACTYLA

APPLICANT(S) FOR DO/EO/US

Keiko TSUGANEZAWA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).  
"EXECUTED"
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (U.S.C. 371(c)(5)).

**Items 11 to 16 below concern other document(s) or information included:**

11. Assignee: Sumitomo Electric Industries, Ltd., of Osaka, JAPAN
12. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
13. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. ☐ A FIRST preliminary amendment.  
☒ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ Figure of Drawing to be published \_\_\_\_\_
18. ☒ Other items or information:  
Cover Letter.  
Cover Letter Accompanying Sequence Listing.  
Statement that the Content of the Paper and Computer Readable Copies are the Same.  
Diskette containing sequence listing, and paper copies of the same.  
Copies of Form PCT/DO/EO/920 and Form PCT/DO/EO/916.

U.S. APPLICATION NO. (If known, see 37 CFR

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19. The following fees are submitted:

Basic National Fee (37 CFR 1.492(a)(1)-(5)):

Search report has been prepared by the EPO or JPO. \$ 860.00

International preliminary examination fee paid to USPTO (37 CFR 1.482). \$ 690.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)). \$ 710.00

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO. \$1,000.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4). \$ 100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 0.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 X 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 0.00

Claims

Number Filed

Number Extra

RATE

\$ 0.00

Total Claims

11

- 20 =

0

X \$18.00

\$ 0.00

Independent Claims

6

- 6 =

0

X \$80.00

\$ 0.00

Multiple dependent claim(s) (if applicable)

+ \$270.00

\$ 0.00

TOTAL OF ABOVE CALCULATIONS =

\$ 0.00

Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$ 0.00

SUBTOTAL =

0.00

Processing fee of \$130.00 for furnishing the English translation later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

+

0.00

Extension of Time fee in the amount of \$

0.00

TOTAL NATIONAL FEE =

0.00

Fee for recording the enclosed assignment (37 CFR 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+

0.00

TOTAL FEES ENCLOSED =

0.00

Amount to be refunded \$

Charged \$

a. A check in the amount of \$ to cover the above fees is enclosed.

b. Please charge my Deposit Account No. in the amount of \$ to cover the above fees.

c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0089.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO CUSTOMER NO. 7055 AT THE PRESENT ADDRESS OF:

Bruce H. Bernstein  
GREENBLUM & BERNSTEIN, P.L.C.  
1941 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

SIGNATURE

Bruce H. Bernstein

NAME

29.027

REGISTRATION NUMBER

33,094

P20637.P09

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : K. TSUGANEZAWA

Appln No : 09/744,989

(National Stage of PCT/JP99/04479)

I.A. Filed : August 20, 1999

For : EPIMORPHIN OF THE ORDER ARTIODACTYLA

**COVER LETTER**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

In order to comply with the Notification to Comply with Requirements (copy enclosed) for the submission of paper and computer readable forms of amino acid nucleotide sequence listing of the International Application set forth in the Notification mailed July 27, 2001 which sets a one month period of response until August 27, 2001, Applicants hereby submit:

- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;


- a Cover Letter Accompanying Sequence Listing;
- a Statement that the Content of the Paper and Computer Readable Copies are the Same;
- a Diskette containing sequence Listing, with paper copies of the same (6 pages).

Also enclosed is:

- a Supplemental Preliminary Amendment.

The Commissioner is hereby authorized to charge any additional fee, or credit any overpayment to Deposit Account No. 19-0089.

Respectfully submitted,  
K. TSUGANEZAWA

  
\_\_\_\_\_  
Bruce H. Bernstein  
Reg. No. 29,027

*By m. 33,044*

August 24, 2001  
GREENBLUM & BERNSTEIN, P.L.C.  
1941 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191



U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/744989	TSUGANEZAWA	K P20637
INTERNATIONAL APPLICATION NO.		
PCT/JP99/04479		
I.A. FILING DATE	PRIORITY DATE	
20 AUG 99	20 AUG 98	

DATE MAILED:

27 JUL 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☒ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☐ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☒ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- ☒ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☐ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☐ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE  
CALL:

(703) 308-4216, for Rules interpretation,  
(703) 308-4212, for CRF submission help,  
(703) 287-0200, for PatentIn software help.

Christine S. Washington

Telephone: 703-305-3752



UNITED STATES PATENT AND TRADEMARK OFFICE

10 Re 01

AUG 2001

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/744989	TSUGANEZAWA	K P20637
INTERNATIONAL APPLICATION NO.		
PCT/JP99/04479		
I.A. FILING DATE	PRIORITY DATE	
20 AUG 99	20 AUG 98	

GREENBLUM & BERNSTEIN, P.L.C.  
1941 ROLAND CLARKE PLACE  
RESTON, VA 20191

DATE MAILED: 27 JUL 2001

## NOTIFICATION OF A DEFECTIVE RESPONSE

- ☐ The request for an extension of time (37 CFR 1.136(a)) filed \_\_\_\_\_ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)(1)-(a)(5).
- ☐ Applicant's response filed \_\_\_\_\_ was received in the Office after the expiration of the period for response set in the Office notification mailed \_\_\_\_\_. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).
- ☒ Applicant's response filed 07 MAY 2001 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed 02 APR. 2001 have not been completed.

RECEIVED  
JUL 30 2001  
GREENBLUM & BERNSTEIN, P.L.C.

- ☐ Translation of the international application into English.
  - ☐ which is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ Processing fee (37 CFR 1.492(f)).
- ☐ Oath or Declaration of inventors(s).
  - ☐ not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ Surcharge (37 CFR 1.492(e)).
- ☒ Sequence Listing.
  - ☒ not in compliance with 37 CFR 1.821-1.825 for the reasons indicated on the attached PCT/DO/EO/920.
- ☐ Additional claim fees.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements (Form DO/EO/905) may be extended under 37 C.F.R. § 1.136(a).

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PCT/DO/EO/920

Christine S. Washington

Telephone: 703-305-3752

FORM PCT/DO/EO/916 (March 2001)

24 AUG 2001

P20637.A07

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : K. TSUGANEZAWA

Art Unit: UNKNOWN

Appl. No. : 09/744,989

Examiner: UNKNOWN

I. A. Filed : August 20, 1999

For : EPIMORPHIN OF THE ORDER ARTIODACTYLA

**COVER LETTER ACCOMPANYING SEQUENCE LISTING**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to Comply mailed July 27, 2001 (copy submitted herewith), Applicants note that paper and computer readable forms of amino acid and nucleotide sequence listings are being filed herewith. Inasmuch as the period for response was set to expire on August 27, 2001, Applicants respectfully submit that this sequence listing is being filed in a timely manner.

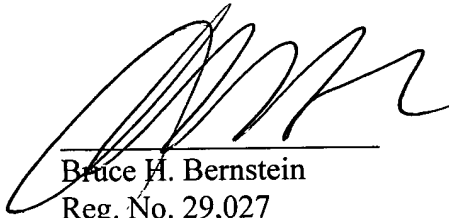
The Commissioner is hereby authorized to charge any necessary fees, such as any necessary extension of time fees, to Deposit Account No. 19-0089.

P20637.A07

Should the Examiner have any questions or comments regarding this matter, the undersigned may be contacted at the below-listed telephone number.

August 24, 2001  
GREENBLUM & BERNSTEIN, P.L.C.  
1941 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

Respectfully Submitted,  
K. TSUGANEZAWA



Bruce H. Bernstein  
Reg. No. 29,027

*Reg No 33,094*